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NINTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

REPORT OF THE LATIN AMERICAN AND CARIBBEAN REGIONAL PREPARATORY MEETING FOR THE NINTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

San José, Costa Rica, 7-11 March 1994

CONTENTS

	Paragraphs	Page
RECOMMENDATIONS		3
INTRODUCTION	1	10
Chapter		
I. ATTENDANCE AND ORGANIZATION OF THE MEETING	2-12	10
A. Date and venue	2	10
B. Attendance	3	10
C. Opening of the Meeting	4-9	11
D. Election of officers	10	11
E. Adoption of the agenda	11	12
F. List of documents	12	12
II. REPORT OF THE DISCUSSION	13-82	12
Topic 1. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme	13-28	12
Topic 2. Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation	29-50	14

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		Paragraphs	Page
Topic 3.	Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections and the role of lawyers	51-70	17
Topic 4.	Crime prevention strategies, in particular as related to crime in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives	71-82	19
III.	ADOPTION OF THE REPORT OF THE MEETING	83	21

Annexes

I. List of participants 22
II. List of documents 27

RECOMMENDATIONS

The Latin American and Caribbean Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, after extensive discussion of various substantive issues related to the four topics of the provisional agenda of the Ninth Congress (A/CONF.169/PM.1), unanimously adopted the resolution and the declaration of support presented below, recommending their submission to the Commission on Crime Prevention and Control at its third session and, as appropriate, to the Ninth Congress for further consideration and action.

Resolution

The Latin American and Caribbean Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

Concerned about the increase of crime in the region and the growing difficulties of Member States in responding effectively to crime,

Also concerned about the economic situation in the developing countries of the region and its negative impact on social conditions, a situation which makes crime prevention strategies difficult to implement,

Convinced of the importance of the work of the United Nations in providing a framework for the strengthening of international cooperation,

Recalling General Assembly resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, which endorsed the recommendations of the Ministerial Meeting on the Establishment of an Effective United Nations Crime Prevention and Criminal Justice Programme, held at Versailles from 21 to 23 November 1991,

Concerned about the delay in the implementation of the measures provided for in that resolution, especially the lack of resources, which has made it impossible to strengthen the institutional capacity of the programme and seriously limits capabilities in the area of planning, delivering and evaluating operational activities and advisory services,

Bearing in mind Economic and Social Council resolutions 1992/24 of 30 July 1992 and 1993/32 of 27 July 1993 on the preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

I. Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

1. Recommends that the Ninth Congress facilitate technical cooperation activities by serving as a forum for the exchange not only of information, but also of specific technical assistance and multilateral cooperation projects;

2. Welcomes the new rules of procedure for the United Nations congresses, which will ensure a focused discussion on priority issues and will allow Member States sufficient time to review draft resolutions in all six working languages of the United Nations;

3. Also welcomes the organization of six workshops designed to promote the exchange of information and experience among crime prevention and criminal justice practitioners and policy makers, and calls upon

Member States to take an active part in the preparations for those workshops with a view to fully reflecting regional concerns in the debates of the Ninth Congress;

4. Commends the inclusion of the issue of corruption in the plenary debates of the Ninth Congress, and recommends that the Congress consider effective ways of coordinating at the international level all efforts to tackle corruption and any other form of malfeasance by public officials, particularly the illegal appropriation of public resources and the embezzlement of funds, including in the context of technical assistance activities;

5. Welcomes the generous offer of the Government of Spain to sponsor an international meeting of experts on this topic;

6. Requests the Secretary-General of the United Nations to appoint a Secretary-General of the Ninth Congress in order to facilitate preparations and to mobilize the fullest possible participation in and attendance at the Congress;

7. Recommends that Member States include, in their delegations to the Ninth Congress, and to successive United Nations congresses on the prevention of crime and the treatment of offenders, members of the legislature, so as to facilitate a rapid inclusion of the conclusions and recommendations of the congresses in domestic legislation.

II. International cooperation for strengthening the rule of law and practical technical assistance, including the promotion of the United Nations crime prevention and criminal justice programme

1. Calls upon Member States to strengthen their international cooperation efforts through the United Nations, in consonance with the principles contained in the Caracas Declaration[1] adopted by the Sixth United Nations Conference on the Prevention of Crime and the Treatment of Offenders, taking in this manner into account the social, economic, political and cultural context of each country;

2. Takes note of the important processes of democratization, strengthening of the rule of law and transparency in the countries of the region, and recommends to the international community the support of such efforts, as a contribution to sustainable development;

3. Emphasizes the importance of the independence of the judiciary as a prerequisite for the maintenance of the rule of law and the protection of human rights;

4. Recommends the development of diagnostic and research capabilities in the area of crime prevention and criminal justice;

5. Also recommends to Member States the development of field research in criminal matters, the study of the functioning of penal systems and the exchange of information obtained, especially in relation to forms of organized crime, narcotic drugs trafficking, administrative corruption and environmental crimes. International data banks could thus be established that would help Member States which wished to do so to conclude bilateral cooperation agreements;

6. Notes with appreciation the efforts made to promote the operational activities being carried out in various countries by the United Nations crime prevention and criminal justice programme, with a view to the improvement of the criminal justice system and the strengthening of the rule of law; but at the same time laments the existing material constraints, which are seriously jeopardizing the success of such efforts;

7. Calls upon Member States, and especially the developed countries, to increase their participation in multilateral activities in this field, for example by contributing to the United Nations Crime Prevention and Criminal Justice Fund, with a view to the implementation of existing and future technical assistance projects;

8. Calls upon international financial institutions and bodies, such as the United Nations Development Programme and the World Bank, to include crime prevention and criminal justice in their technical cooperation and assistance programmes and to strengthen national capabilities in the area of formulation, preparation and execution of technical cooperation projects;

9. Urges the developed countries to step up their cooperation in order to achieve the goals stated in the preceding paragraph, on the understanding that such cooperation will be pluralistic, without conditions and respectful of the cultural identity of the beneficiary countries and of national sovereignty and independence;

10. Requests the Secretary-General to implement, as a matter of urgency, General Assembly resolutions 46/152 of 18 December 1991 and 48/103 of 20 December 1993 and Economic and Social Council resolutions 1992/22 of 30 July 1992 and 1993/34 of 27 July 1994, all concerning crime prevention, by allocating sufficient resources to the programme, so as to enable it to implement its new mandates, particularly as regards responding to requests of Member States for technical assistance, and by upgrading the Crime Prevention and Criminal Justice Branch to a Division, headed by a Director;

11. Strongly recommends the proclaiming of a United Nations crime prevention international week, in order to promote broader public awareness of the problem of crime at the global level.

III. Action against transnational and organized crime

1. Welcomes the World Ministerial Conference on Organized Transnational Crime, to be hosted by the Government of Italy, and urges all Member States to participate in that major event at the highest possible level, with specific proposals and practical cooperative measures;

2. Calls upon all Member States to consider the possibility of enacting appropriate legislation to combat transnational crime at both regional and world levels;

3. Recommends the adoption of an international definition of organized crime, and notes with appreciation the proposals to promote an exchange of views on the subject, with a view to harmonizing existing legislation;

4. Calls upon Member States that so wish, to facilitate transnational criminal investigations by extending legal assistance to each other, with a view to effective international cooperation in the provision of originals or authenticated copies and relevant records, the exchange of evidence, the location and identification of persons, the serving of subpoenas, the examinations of objects and places, the carrying out of inspections and seizures, the obtaining of testimony and other pertinent measures;

5. Recommends the inclusion of the crime of illicit enrichment in criminal codes of countries not yet having done so, in order to overcome evidentiary difficulties inherent in economic criminality and corruption, and recourse to modalities of international criminal law, in recognition of the fact that these phenomena may also be international;

6. Calls upon Member States to study ways of simplifying procedures for the taking of evidence abroad, the waiving of bank secrecy and the exchange of relevant information, together with types of penalties that apply specifically to the assets of the economic criminal;

7. Recommends to Member States the establishment of corps specialized in the investigation of economic and financial crimes in order to make the prevention and monitoring of that category of crime more effective;

8. Stresses the importance of establishing a practicable bilateral and multilateral system of extradition in order to avoid impunity of offences committed fully or partially in different countries, and recommends the use, inter alia, of the United Nations model agreements in this field. The extradition system should observe strictly the penal and due process guarantees of the accused; the procedures should be made more flexible and should respect the sovereignty of States and the guarantees of a fair trial;

9. Invites Member States to participate actively in the preparation of the workshop on extradition and international cooperation;

10. Requests the Secretary-General to assist Member States, upon request, in adjusting their national legislation with a view to making the prosecution and adjudication of transnational crime more effective;

11. Invites the Ninth Congress to discuss the appropriateness of establishing witness-protection programmes by exchanging national experiences in that regard;

12. Welcomes the initiative of the Government of Italy and the International Scientific and Professional Advisory Council in organizing, under the auspices of the Crime Prevention and Criminal Justice Branch, the International Conference on the Prevention and Control of Money Laundering and the Use of the Proceeds of Crime to be held at Courmayeur, Italy, from 17 to 21 June 1994;

13. Also welcomes the workshop on the role of criminal law in the protection of the environment, the purpose of which is to consider what measures could be adopted at the international level to penalize acts against the environment, and recommends that national criminal codes reflect the concept of hazardous crimes in the area of environmental crime;

14. Invites the Ninth Congress to explore further the scope for improving options for prosecuting transboundary criminal offences against the environment, including illicit trafficking in plant and animal species, and also to consider the possibility of formulating, in appropriate forums, criminal law to protect the environment at both the national and international levels;

15. Urges Member States to rationalize their consumption indices, adjusting them to policies allowing all countries to attain sustainable development;

16. Emphasizes the urgent need to formulate a model law on protection of the environment, establishing a new system of administrative organization which covers all possible sources of environmental pollution, in order to promote full awareness of the problems relating to the protection of the environment.

IV. Criminal justice systems

1. Recommends that Member States, if they have not yet done so, should study the introduction of the oral criminal procedure, with its characteristics of immediacy, transparency and expeditiousness, which will facilitate the juridical exchange of experience. This will make it possible to replace the investigative

written criminal proceeding, with its attendant delays, violation of the rights and fundamental guarantees of the accused and the convicted, and negation of the rights of victims;

2. Also recommends that Member States should study the strengthening of the role of the Office of the Public Prosecutor, to strengthen its autonomy in the context of the guidelines on the role of prosecutors adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[2] thereby facilitating the international exchange of the teaching staff of schools for training in the respective disciplines;

3. Further recommends that Member States adopt measures to enhance the professional calibre of staff in all sectors concerned with crime prevention and criminal justice in the context of United Nations resolutions, guidelines and standards;

4. Urges Member States to adopt specific and urgent measures to improve substantially the relations between the police and the community, in order to preserve social stability, and recommends to all Member States active cooperation of a technical and financial nature permitting the modernization of the police in accordance with the following criteria:

(a) Advisory services for the formulation and application of a policy of efficiency and effectiveness;

(b) Adequate training of human resources at all levels;

(c) Advisory services on viable and practical programmes in all countries cooperating with the Latin American Institute for the Prevention of Crime and the Treatment of Offenders;

(d) Provision of the necessary material resources for the fulfilment of the police's social role;

5. Invites Member States to consider appropriate ways of reducing the use of detention, with a view to observing the penal and due process guarantees and the rights of detainees;

6. Also invites Member States to increase the use of non-custodial measures in order to improve the administration of justice and to reduce the prison population, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules),[3] thereby also reducing the number of persons in preventive detention;

7. Requests the Secretary-General to assist Member States, upon request, to improve conditions in prisons by, inter alia, allocating the necessary funds for that purpose;

8. Recommends that countries cooperate actively at both the technical and financial levels, with a view to modernizing, streamlining and strengthening the penitentiary system in accordance with the following guidelines:

(a) Advisory services for the elaboration and implementation of a humane and efficient penitentiary policy;

(b) University training of human resources at the managerial level and of technical and administrative staff;

(c) Advisory services relating to viable programmes and practices among the cooperating countries;

(d) Provision of monitoring and security equipment and facilities;

9. Invites the Ninth Congress to pay special attention to the system of transfer of convicted persons to their countries of origin, and to the speed of the corresponding procedures, which would, if agreed to by the offenders, enable them to serve their sentence in circumstances that would promote reintegration into their own society, in accordance with the United Nations Model Treaty on the Transfer of Proceedings in Criminal Matters;[4]

10. Recommends the use of informal mechanisms of social control, such as mediation, reconciliation of the victim and the offender and diversion, in order to implement the principle that criminal law must be used only in the last analysis;

11. Recommends also that the Commission on Crime Prevention and Criminal Justice include in the programme of work in this field cooperation projects with non-governmental organizations that would utilize country experiences in the application of humanitarian and integral approaches, with the aim of superseding the crime and punishment paradigm still prevailing in some criminal justice systems;

12. Recommends further that special attention be paid to the formulation and the application of juridical norms to indigenous ethnic groups, taking into account their culture and idiosyncrasy.

V. Crime prevention strategies, in particular as related to urban areas

1. Recommends the adoption by the Ninth Congress of proposed guidelines for cooperation and technical assistance in the field of urban crime prevention, contained in the annex to Economic and Social Council resolution 1993/27 of 27 July 1993, once they have been considered by the Commission at its third session, and invites Member States, as well as international financial institutions and development agencies, to provide funds for suitable projects;

2. Recognizes that the problem of urban violence and crime in all its forms and manifestations gravely impinges on social life itself, and recommends that Member States establish local, state and regional bodies for crime prevention and criminal justice, with the active participation of the community;

3. Recommends that Member States adopt the necessary measures to guarantee recognition of, and respect for, the human rights of boys, girls and adolescents who have been crime victims, pursuant to the provisions of the United Nations Convention on the Rights of the Child;[5]

4. Urges countries to establish the obligation to compensate injury suffered by a victim, whether psychological, physical or moral, including full compensation for any damage incurred, in accordance with the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power;[6]

5. Invites Member States to consider the problems arising from migratory flows, particularly with regard to the integration of aliens within various social and cultural contexts and the risks that migrants run of being victims of, or becoming involved in, criminal activities and urges Member States to take such concerns fully into account when drawing up strategies for crime prevention in urban areas;

6. Urges Member States to increase the number of programmes, with strong community and family participation, aimed at preventing boys, girls and adolescents from becoming involved in criminal activities;

7. Requests that Member States undertake the necessary steps aimed at obtaining from the mass media, particularly State-owned ones, an adequate handling of criminal acts, so as to avoid increasing subjective insecurity levels, and the broadcasting of crime prevention messages and campaigns.

Declaration of support for the multilateralization of the Latin American Institute for the Prevention of Crime and the Treatment of Offenders

The Latin American and Caribbean Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Bearing in mind the important work carried out for almost 20 years by the Latin American Institute for the Prevention of Crime and the Treatment of Offenders, in response to the needs expressed by the Latin American and Caribbean countries in the area of crime prevention, criminal justice and human rights,

Bearing in mind the need to coordinate efforts and promote international cooperation in that area to strengthen the programmes of the Institute and intensify and expand its action at the regional, subregional and country levels, especially for the Caribbean countries, which have not so far received sufficient attention from the Institute,

Recalling the resolution of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on support for the Latin American Institute for the Prevention of Crime and the Treatment of Offenders,[2]

Recalling also that the Institute has been functioning since 1975 on the basis of an agreement between the United Nations and the Government of Costa Rica,

Aware that a multilateral agreement between the countries of the region would be a more effective instrument for discharging and refining the current mandate of the Institute and would lead to more effective participation and greater benefit for the Latin American and Caribbean countries in implementing the United Nations crime prevention and criminal justice programme,

Bearing in mind General Assembly resolution 46/152 of 18 December 1991 on the establishment of an effective United Nations crime prevention and criminal justice programme, which endorsed the recommendations of the Ministerial Meeting on the Establishment of an Effective United Nations Crime Prevention and Criminal Justice Programme, held at Versailles from 21 to 23 November 1991, including the recommendation on the strengthening of the important role of the Institute, and the other relevant recommendations of the Commission on Crime Prevention and Criminal Justice and the Economic and Social Council,

Declares that:

1. An effective consultation process aimed at the multilateralization of the Institute, which includes the Governments of the States of the region, should be carried out with a view to facilitating the implementation and refinement of the United Nations programme in those States and helping to strengthen their own efforts and the efforts of the Institute and the international community in the area of crime prevention and criminal justice;

2. The delegations attending the Regional Preparatory Meeting shall bring the contents of this Declaration to the attention of their respective Governments;

3. The Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna should, in consultation with the Governments of the region, prepare a first draft of a multilateral agreement reflecting the following:

(a) The international character of the activities and administration of the Institute;

(b) The fact that the primary objective of the Institute is to promote regional cooperation among Latin American and Caribbean countries in a joint effort to translate into practice, as appropriate, the United Nations crime prevention and criminal justice programme;

(c) The fact that the countries of the region can benefit from the activities of the Institute and at the same time should do all in their power to strengthen their cooperation with that institution, without detriment to the agreements and other cooperative activities that they may enter into among themselves;

(d) The need for funding arrangements to be expressly provided for in the agreement;

(e) The scope and content of the links between the Institute and the United Nations;

4. The Institute should submit a report on its situation to allow consideration of the most appropriate measures to achieve increased and more effective participation of all member States of the region;

5. The Crime Prevention and Criminal Justice Branch should coordinate all tasks at the multilateralization of the Institute.

INTRODUCTION

1. The Latin American and Caribbean Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was the fourth of five regional preparatory meetings convened to discuss the substantive topics included in the provisional agenda of the Ninth Congress, to be held in 1995, in accordance with General Assembly resolution 46/152 of 18 December 1991 and Economic and Social Council resolution 1993/32 of 27 July 1993. At its forty-eighth session, the General Assembly adopted resolution 48/103 of 20 December 1993, in which it welcomed resolution 1993/32 of the Council and requested the Secretary-General to undertake all steps necessary to ensure the adequate organization of the Ninth Congress, in accordance with that resolution.

I. ATTENDANCE AND ORGANIZATION OF THE MEETING

A. Date and venue

2. The Meeting was convened and organized by the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna, at the invitation of the Government of Costa Rica, in cooperation with the Latin American Institute for the Prevention of Crime and the Treatment of Offenders. The Meeting was held at the headquarters of the Institute, at San José, from 7 to 11 March 1994.

B. Attendance

3. The Meeting was attended by member States of the Latin America and the Caribbean region by observers from United Nations bodies, specialized agencies and intergovernmental and non-governmental organizations. A list of participants is contained in annex I of the present report.

C. Opening of the Meeting

4. The Acting Director of the Institute said that its activities responded to the needs of the countries of the region, and that its main priorities were facilitating international cooperation and practical technical assistance. Thus, its programmes were directed primarily at assisting developing countries in using the resources provided by Governments of developed countries. Today more than ever, it was indispensable for bodies such as the Institute to make optimal use of scarce resources. The problems to be addressed were, inter alia, juvenile delinquency, environmental protection, the improvement of police and court systems and the protection of victims, including women and children.

5. The Chief of the Crime Prevention and Criminal Justice Branch thanked the Government of Costa Rica and the Institute for their sustained support of the United Nations crime prevention and criminal justice programme, and underlined the importance of the Institute in promoting United Nations activities in the region. The support of Costa Rica had also been significant in promoting the rule of law and democracy.

6. The Minister of Justice of Costa Rica noted that the topics for the Meeting, and later for the Ninth Congress, were closely linked with the social and economic development of the peoples of the region. Criminal justice was an integral component of any social justice endeavour. It was the task of the Meeting, therefore, to examine the achievements and the failures in that area. Together, the participants could better define the policies and the cooperation mechanisms of the region. Cooperation, regional and international, was fundamental, since acting separately could not provide a truly successful approach to the problem.

7. The Minister for Foreign Affairs of Costa Rica said that his country assigned to the administration of justice a crucial role in the development of democracy. Further, the independence of the judiciary was a safeguard of the natural rights of the individual. It seemed evident that the success of crime prevention depended, in the modern world, on the degree of effective international cooperation attained.

8. The President of Costa Rica, Rafael A. Calderón Fournier, stated that his country, as a firm believer in the progressive role of international organizations, welcomed the strengthening of the United Nations, which had a central role to play in the search for better approaches to the control of crime and the treatment of offenders.

9. In that connection, the President pointed out that the current upward spiral of crime was related to the contemporary crisis of values. The crisis started when human beings separated politics, the economy and social life from ethical imperatives. That unavoidably resulted in a divorce between individual and social behaviour, on the one hand, and fundamental values, on the other, damaging in this manner human dignity and even the chances of survival of the species. The only road to integrated and developed societies was through the strengthening of their value systems.

D. Election of officers

10. The Meeting elected the following officers:

Chairman: Elizabeth Odio Benito (Costa Rica)

Vice-Chairmen: Mariano Alberto Ciafardini (Argentina)
Jorge Soruco Quiroga (Bolivia)
Aracely Careaga Hernández (Cuba)

Rapporteur: Alicia Fernanda Quijano Castro (Colombia)

E. Adoption of the agenda

11. The Meeting adopted the following agenda:

1. Opening of the Meeting.

2. Organizational matters.

3. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme.

4. Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation.

5. Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections and the role of lawyers.

6. Crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives.

7. Adoption of the report of the Meeting.

F. List of documents

12. The documents before the Meeting are listed in annex II of the present report.

II. REPORT OF THE DISCUSSION

Topic 1. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme

13. The Chief of the Branch introduced topic 1, underlining that the prompt implementation of the recommendations of the Ministerial Meeting held at Versailles had ensured both a larger involvement of the Governments of Member States and a more practical orientation of the programme. In fact, operational activities had become one of the main priorities of the programme, overviewed by the Commission on Crime Prevention and Criminal Justice.

14. The Chief of the Branch further noted that, at a critical moment in the struggle for a better world, the United Nations was facing the challenge of growing criminality, both national and transnational, a challenge which required a higher level of efficiency and professionalism in combating such noxious activities as organized crime, corruption, money-laundering, the uncontrolled growth of urban crime, both juvenile and violent, as well as strengthening the rule of law in the protection of the environment and improving the administration of penal law in all its aspects.

15. A fundamental goal of the programme was also to assist requesting countries in the use and application of the norms and standards of the United Nations in crime prevention and criminal justice. Although it was true that a large number of countries had successfully implemented those norms, there still existed a wide gap between the principles embodied in the norms and the reality to be found around the globe.

16. In connection with international cooperation, some representatives felt that the momentous political changes occurring in some parts of the world and the concomitant end of the cold war could bring about a diversion of technical assistance to societies in the throes of economic transition, to the disadvantage of developing countries. However, since many of those countries possessed neither the capabilities nor the resources to implement effective crime prevention policies, they could hardly be expected to become effective partners in the indispensable network of international cooperation.

17. The growing difficulties in combating increasingly transnational forms of crime were widely recognized by the Meeting. This fact added urgency to the need for strengthened international cooperation, especially technical assistance and the exchange of information in combating such crimes as drug trafficking, organized crime, money-laundering and damage to the environment. The exchange of experience, ideas and proposals to improve national criminal justice systems and crime prevention policies was also essential. Human solidarity demanded, moreover, as an ethical imperative, that the strong of this world should help the poor. In the last analysis, it should be recognized that such assistance was a kind of self-help.

18. Some representatives noted that the deterioration of the economies of the countries of the region seriously affected the well-being of large segments of the population, pushing them into criminal activities, a development reflected in significant increases in the crime rates. Only international cooperation for development could halt such deterioration and help to curb the rapid growth of crime.

19. Some representatives felt that the contemporary forms of international cooperation, especially bilateral assistance, often failed to take into account the specificities and idiosyncrasies of particular cultures. The patterns proposed were often too uniform, ignoring the cultural context of some behaviours. As a result, international cooperation at times took the form of an imposition of the norms of a country upon others.

20. Others, while recognizing the importance of bilateral cooperation and the positive results achieved in some cases, felt that the complexity of the challenge demanded heavier emphasis on a multilateral approach, because a large number of problems involved more than two countries. The two approaches should be seen as complementary rather than mutually exclusive, the aim being to establish as thick a network of cooperation as possible, thereby attaining an optimal result.

21. Some representatives recommended the promotion of multilateral and bilateral technical assistance agreements aimed at modernizing domestic legislation by adapting experiences to the unique characteristics of each country, within the framework of an absolute respect for human rights.

22. It was also recommended that domestic drug abuse prevention activities should be complemented by a vast international effort, particularly on the part of developed countries, aimed at reducing the demand for drugs. Some representatives noted that the setting of fair prices for the products of developing countries would undoubtedly stimulate the production of healthy products and discourage large-scale production of drugs.

23. It was noted that current levels of technical assistance, both bilateral and multilateral, were totally inadequate in view of the magnitude of the crisis affecting developing countries. That crisis was compounded by the burden of foreign indebtedness and by the low prices of the traditional exports of developing economies. Under such circumstances, Governments tended to reduce the allocation of resources to the rehabilitative and human rights aspects of crime prevention, while augmenting repressive policies in response to increased levels of fear and insecurity.

24. It was obvious that without assistance for development there existed no possibility of attaining effective crime prevention. It was therefore imperative to improve the levels and delivery of such assistance. Furthermore, technical assistance should be ruled by the principles of neutrality, universality and non-

conditionality. The improvement and intensification of international cooperation should not result in violations of sovereignty.

25. Training of police and penitentiary personnel was mentioned by some as an effective means of technical assistance. The same could be said of the transfer of technology, which could facilitate the task of crime prevention. In that connection, some representatives felt that the role that the Institute could play was crucial. The experience of the Institute could be put to good use by the countries of the region. However, its full capacity could only be developed by true regionalization, through a multilateral agreement.

26. Some representatives felt that the problems created by transnational crime could be most effectively met by mutual judicial assistance, an arrangement that was already in existence through bilateral treaties. The conclusion of such treaties should be promoted and encouraged.

27. Other representatives, however, felt that, despite the existence of binding international agreements and bilateral treaties, in practice their provisions were rather difficult to implement. In fact, actual assistance was scant, and the process for obtaining it was cumbersome, time-consuming and unreliable. The need to streamline and simplify procedures had been often recognized, but obstacles remained. The theory was good, but the practice left much to be desired.

28. Another form of international cooperation mentioned by participants was extradition. That procedure needed to be reviewed and brought into line with contemporary reality. Many of the existing treaties were obsolete and in need of modernization. Treaties should in many cases be reformulated innovatively, so as to increase the speed and ease with which a request for extradition was granted. Such reformulations should, however, take place in a context of mutual respect and equality. It was crucially important to maintain full respect for the human rights of the accused and under no circumstances to resort to expediency as, for instance, in cases of summary deportation and expulsion.

Topic 2. Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation

29. Many representatives noted that crime not only had grown in volume, as evidenced by its mounting rates in almost all countries, but also had extended beyond State boundaries. Transnational crime often tended, moreover, to be synonymous with organized crime. This transnational dimension increased the difficulties of detection and control, while the organizational aspect had acquired a logistic efficiency never before attained by criminal operations. Transnational organized crime had thus become a serious threat to societies and their citizenry all over the world. Its volume of business was staggering by any standard, vastly exceeding the national budgets of most countries. Such vast sums were, in part, used to infiltrate lawful business concerns, thus undermining the economies of numerous countries, in particular developing ones, in which Governments were rapidly losing effective control over economic policy.

30. The availability of such powerful financial means led, in the opinion of many representatives, to widespread corruption at all private and public levels, making a mockery of justice and objective public administration. Such levels of corruption were destroying the confidence of the public in the impartiality of public officials, both appointed and elected, and was at the root of demoralization. That process represented a grave menace to the institutional order and the rule of law.

31. Additional consequences of corruption identified at the Meeting were the destruction or inversion of values, the disintegration of the family, the loss of self-respect, the reduction of the quality of life, and even the annihilation of all wholesome social structures. Some representatives therefore were in favour of regional

seminars that could serve for the exchange of information and training in the prevention and control of corruption. In response to that suggestion, the representative of the Institute expressed its willingness to play a role in that endeavour, if and when the necessary resources became available.

32. In that connection, the representative of Spain informed the Meeting of his Government's offer to organize and sponsor, in cooperation with the Branch, an interregional meeting of experts to examine the problem of corruption, exchange information and formulate proposals and recommendations that would serve as a discussion guide for the plenary session on corruption to be held during the Ninth Congress. The meeting of experts would be held in Spain during the summer of 1994. The Regional Meeting expressed full support for that proposal.

33. Some representatives who attended the Sixth Regional Seminar on Effective Measures to Combat Drug Offences and Improve the Administration of Criminal Justice, organized by the Institute in cooperation with the Japan International Cooperation Agency and the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, with the participation of 16 Governments of the region, took part in the Meeting with an extensive exchange of views on topic 2.

34. Of particular concern was the observed readiness of organized crime to appropriate for its illicit ends the use of the most sophisticated knowledge and technology. That made the problem even more intractable. Experts in finance, chemistry, law, accounting and computers were recruited by criminal organizations. Such a gamut of resources was rarely available to the law enforcement agencies of developing countries. Thus, large-scale economic crimes, which were almost always the handiwork of organized criminality, could be labelled "crimes of intelligence", thereby distinguishing them from the more common crimes of violence.

35. Some representatives noted that violence was also a common instrument of organized crime, although it was not of the spontaneous sort, but rather planned and systematic. Beatings, assassinations and bombings were ways of extorting silence and compliance. Law enforcement officers, prosecutors, judges, politicians and journalists and their families had often been the victims of such instrumentalized violence. Moreover, links with guerrilla movements had added a new intensity to violent strategies.

36. Many representatives addressed the issues related to money-laundering, the so-called "Achilles' heel" of organized crime. It was noted that numerous countries lacked adequate legislation to tackle the problem effectively. There was a need to criminalize money-laundering. However, it was recognized that, in view of the nature of the international financial system and the widespread use of electronic transfers of vast sums, the chances of rapidly achieving success in that connection were, at present, rather limited.

37. In that respect, several representatives noted that abuse of bank secrecy represented a serious obstacle to the control of money-laundering operations. Bank secrecy often resulted in impunity for offenders. Many delegates felt that bank secrecy should not exist vis-à-vis central banking authorities or in the face of a judicial investigation or a trial. While its legitimate uses could be preserved, bank secrecy should undergo careful revision, and exhaustive regulations should be enacted so as to avoid current abuses.

38. Other representatives felt that there was a need to devise means to deal with illicit enrichment, not all of which resulted from organized criminal activities. In that connection, there was a denunciation of the existence of tax havens and offshore banking facilities which served only to attract capital to the host countries, without any concern for the origin of those funds and in open disregard for the concerns of other States, and of the complicity with organized crime that such ill-conceived policies represented.

39. The Meeting was of the opinion that illicit drug trafficking, one of the main undertakings of transnational organized crime, was particularly deleterious to developing countries. In fact, those countries were the victims of illicit drug demand in developed countries. Coca leaves were an integral part of the

culture of some countries, possessing almost a religious importance for the indigenous populations. Drug use had existed in those cultures for millenniums, and had always been and remained moderate. Traditional cultures had not invented hard drugs, the abuse of which was external to them.

40. Some representatives felt that the source of the drug problem was to be found on the demand side of the phenomenon. Such demand was characteristic of rich and developed countries. If demand in those countries could be brought under control, production would rapidly fall back to traditional levels.

41. It was, moreover, unfair to pressure producing countries into eliminating the production of the plants from which hard drugs were produced by organized crime, without taking into account the highly negative impact that would have on the culture and the economy of indigenous populations.

42. Several representatives thought that it was imperative to tackle illicit drug production through more effective control of the so-called precursors of drug production. Legislation should be enacted creating the obligation for chemical industries to submit to the authorities data on the demand for precursors, particularly when orders were suspiciously high. It was proposed that a data bank on the production of precursors should be created. Further, exchange of information in that respect should constitute an integral part of international cooperation.

43. Some representatives felt that the media sometimes compounded the problem of crime rather than assisting the authorities in finding a solution. The emphasis on violence, both in the news and as entertainment, contributed to excessive fear and feelings of insecurity, increasing the chances of irrational reactions to crime and delinquency, while simultaneously providing models of aggressive behaviour to youth.

44. Other representatives emphasized the need for a code of ethics for the media that could serve as guidelines for self-control. In many cases, it was recognized that research into the impact of the media on crime was rather scant and should therefore be encouraged.

45. It was widely recognized that legislative action to protect the environment was imperative. In most countries, the existing legislation was insufficient to meet the challenge. The right of the citizen to a stable and healthy environment and the obligation of the State to protect the environment should be clearly defined by legislative bodies.

46. It was maintained, however, that penal solutions alone, including imprisonment, were not sufficient. Other possibilities included the revocation of licences and permits and the obligation for the offender, at his own cost, to restore the original situation. Irreversible damage merited the harshest punishment, including heavy fines and loss of liberty.

47. Some delegates felt that, in addition to enacting the relevant legislation, there was an urgent need to create the posts of ombudsman for the environment and special prosecutor to investigate environmental crimes and bring them to trial.

48. It was felt that, although there were limits to the kinds of development to be obtained, environmental protection and development were not incompatible in principle. Sustainable development, however, was only possible if environmental factors were fully taken into account.

49. It was noted that organized crime was increasingly infiltrating the business of disposal of nuclear and other toxic wastes. It was in the nature of organized criminal operations that such disposal was carried out without the slightest concern for the environment. Such ecological criminality often occurred in international waters, or in the territory of developing countries, the authorities of which either had been bribed by criminals or were simply unaware of the deleterious effect of these wastes on the health and well-being of their peoples.

50. The Meeting also recognized the need to provide effective protection for consumers, particularly in developing countries.

Topic 3. Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections and the role of lawyers

51. The Minister of Justice of Argentina presented a comprehensive overview of the process of judicial penal reform in Argentina. After more than 100 years of inquisitorial written penal procedures, Argentina had enacted, in September 1992, a law which introduced the oral procedure with its principles of immediacy, transparency and celerity. Although, in the province of Córdoba, the oral procedure had existed for more than 50 years already, it was the first time that the reform had been extended to the federal level. The Minister outlined the importance of political will in carrying out a process of substantial reform whose benefits were now felt all over the country.

52. The process of reform involved both normative and factual components, including the introduction of legislative measures to incorporate the oral penal process, the appointment of more than 1,000 judges at the federal level and the opening of new buildings to accommodate the facilities required by the oral penal procedure. The Minister also outlined the new measures providing alternatives to imprisonment, new normative guidelines for prosecutors and the introduction of the Ombudsman into the penitentiary system, a step which would improve the situation of prisoners.

53. Argentina was cooperating with many countries of the region in agreements of reciprocal support to achieve much-needed reforms. It had also signed a memorandum of understanding with the Branch to facilitate the exchange of experiences.

54. Many representatives informed the Meeting of the reforms of the criminal justice system which had been introduced in recent years in their countries. The pressing need for those reforms was generally acknowledged. Innovations were required in all areas covered by the topic, in order to adjust the components of the system to contemporary realities and to bring them into line with the relevant United Nations standards and norms.

55. The Meeting also agreed that successful criminal justice management depended on proper human resources development and the improvement of the skills of criminal justice personnel. The smooth functioning of complex legal infrastructures had to be ensured. A reliable administration of justice was paramount for a proper response to crime and for strengthening the rule of law.

56. Some representatives stated that it was crucial to expedite legal proceedings, and that justifications should be provided when unreasonable delays occurred. Some delegations felt that a reform of penal procedures could help to speed up the legal process. Oral proceedings appeared to be a positive factor as demonstrated by the experience of some countries.

57. Many representatives emphasized the need to reduce preventive detention. The number of untried inmates was, in some countries, excessively high. In the opinion of some representatives, a mandatory time-limit for preventive detention should be applied. Any extensions beyond it should be periodically justified before a judge. A limit to such extensions should also be set.

58. The Meeting favoured alternatives to imprisonment. The introduction of fines for minor offences was a step in that direction. Community service for other offences was a second such step. Some representatives reported on the success of the reforms in their countries. Imprisonment should be restricted to truly serious offences and reduced to a socially acceptable minimum.

59. Some representatives felt that the penitentiary system was in crisis. The conditions prevailing in penitentiary institutions made a mockery of what some regarded as the main goal of imprisonment, namely rehabilitation. In many countries, prisons were human hells marked by overcrowding, idleness, drugs, rape, murder and administrative corruption.

60. Some representatives reported efforts to humanize prisons, undertaken in cooperation with churches and non-governmental organizations. They were aimed at restoring the dignity and self-esteem of inmates. In addition, the transfer of foreign prisoners to their countries of origin had the merit of returning the inmate to a familiar cultural context in which family and community ties facilitated social rehabilitation.

61. Other representatives observed that the creation of a penitentiary ombudsman would be a form of promoting respect for the human rights of inmates. In addition, the separation of juvenile from adult offenders, as recommended by the United Nations, was imperative.

62. Some representatives stated that there was an urgent need to upgrade the training of penitentiary personnel. Moreover, inmates should be provided opportunities for gainful employment and for in-prison training in skills and professions.

63. Many representatives noted, however, that penitentiary reform was too heavy a burden for developing countries, already affected by unfavourable terms of trade and foreign debt. Thus, it appeared indispensable to establish new approaches to international cooperation and assistance. The same was true of reforms and improvements of other components of the criminal justice system. In the opinion of some representatives, it would not be fair to let poor countries carry alone the full weight of reform, in so far as such improvements would be for the benefit of developed and developing countries alike. Thus, developed countries should provide direct assistance or make contributions to the United Nations Crime Prevention and Criminal Justice Fund for that purpose.

64. With respect to the police, some representatives felt that there existed an acute need for training and the improvement of relations with the public at large. The police were only too often perceived as a merely repressive force and not as the protector of community life. This tended to generate hostility towards the police and a gap between it and the public.

65. In the opinion of some, little was known of the functioning of the police, its efficacy, training, status and role in the protection of human rights. That was due to lack of public awareness. Consequently, some representatives proposed that the Institute should start a research project in that area.

66. A number of representatives believed that more autonomy should be granted to prosecutors. Their status should be anchored in the constitution, including their financial autonomy and their discretionary right to prosecute the accused or not, with due regulation.

67. Crime, in the opinion of some representatives, not only did harm to the quality of life and to human principles and values, but also damaged national economies. Both developed and developing countries should act together against it. International cooperation should encourage developed countries to provide complementary funds to those allocated by developing countries to crime prevention and criminal justice. International cooperation in that field should be viewed as an integral part of development assistance.

68. In connection with all the above, the Institute stated that it was ready to provide to requesting States of the region its facilities and its technical know-how for specific cooperation projects in such priority areas as:

(a) Formulation of institutional coordination of strategies in the area of criminal justice;

(b) Institutionalization of training units in the judicial, police and penitentiary subsystems;

(c) Establishment of information systems and networks for documentation, crime statistics, legislation and jurisprudence;

(d) Organization of seminars and other forums on transnational and organized crime prevention, including drugs and the environment;

(e) Participation in diagnostic research and improvement of crime prevention systems, such as reform of legislation, alternatives to imprisonment and penitentiary systems;

(f) Formulation of crime prevention strategies, including violent crimes, the protection of victims and community police.

69. Many representatives emphasized the need for closer cooperation with the Branch, with a view to improving criminal justice and police systems and their management, as well as the necessity to improve communication channels and feedback of information.

70. Observers for non-governmental organizations said that they were ready to contribute to the Ninth Congress. Their organizations were actively involved in many projects and looked forward to sharing their views, not only in ancillary meetings, but also in all other events of the Congress. They also expressed the hope that the shift in focus away from the treatment of offenders did not mean that that area of concern had to be excluded from professional training programmes, in view of the serious need for reforming archaic penal systems in many countries and the need to meet democratic standards for judicial and legal systems in both developed and developing countries.

Topic 4. Crime prevention strategies, in particular as related to crime in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives

71. All representatives agreed on the need to carry out crime prevention policies. The traditional repressive approach had not succeeded in providing a sufficient response to the problem of criminality. In any event, the economic difficulties with which the countries of the region were confronted hampered the development of appropriate policies. Owing to the deterioration of economic conditions in the region, it was feared that States would soon be unable to pursue the efforts which they had been making.

72. It was confirmed that the phenomena of crime were not only complex, but also were caused by a multiplicity of factors both economic and social. Migratory flows from rural to urban areas had greatly increased criminality in the cities. Unrestrained urbanization had stood in the way of any serious urban planning. The cities were not able to meet the needs of newly arrived persons in terms of either employment or social services, with the result that criminality had been generated among youth.

73. The overcrowding on the outskirts of large cities had helped to increase manifestations of violence in which the principal victims were women and children. In the overpopulated districts, inhabited by the dispossessed, private space was very limited and the rights of individuals were trampled on. Violence took many forms: assaults, conjugal brutality, rape, sexual abuse and the like.

74. Many representatives reported on the crime prevention programmes which they were implementing locally, regionally and nationally in their countries in order to tackle those problems. However, national initiatives needed to be adapted to the specific circumstances of each place so as to pinpoint the requirements

of the local people and to involve the community as far as possible in the social rehabilitation of criminals. In that connection, the precedent set by the Argentine Province of Mendoza, where municipal governments were authorized by law No. 5940 to play a role in crime prevention through the Urban Security Councils, was brought to the attention of the Meeting.

75. Some countries had established intersectoral prevention councils which consisted of a plurality of social entities such as education, health and housing services, judicial institutions, organizations that provided relief and support to vulnerable groups and those at risk, trade unions and the private sector, as in the case of chambers of commerce and industry. The role of the communication media in prevention activities, and principally the role of radio and television and of advertising agencies, had also been emphasized.

76. The representative of the Institute reported on its activities in preventing violence against women, referring in particular to a regional project for training judges who would concern themselves with that question. In that context, raising the awareness of justice professionals would enable an institutional response to be made to those social phenomena.

77. Grass-roots actions were also necessary, as occurred in the treatment of street children, who were both perpetrators of criminal acts and victims of, for example, prostitution and ill-treatment. A number of representatives emphasized the need to draw up programmes of aid for those social groups, paying particular attention to abandoned children.

78. It was considered that special efforts must be made to forestall the sale and consumption of drugs, the street children being the first to be adversely affected. Various representatives expressed support for vigorous action to prevent and control drug use and illicit trafficking and their consequences, both in schools and in other public places. However, the creation of special police forces and the use of the army to combat drugs had yielded insignificant results.

79. Mechanisms known as guidance and support modules had been established for the purpose of assisting young violators of criminal laws, and provided forums where young people could express themselves in a framework of analysis and reflection, thereby enabling the emotional conflicts of adolescence to be identified. Those modules were already operating in the capital of one of the countries of the region.

80. A sound family structure was recognized as necessary for the development of an adolescent, as it ensured the transmission of certain values of respect and tolerance necessary to life in society. Awareness of such values was also provided by schools. The role of teaching and education, both formal and non-formal, in prevention was unanimously acknowledged.

81. A number of representatives considered that, for minors, a prerequisite of any preventive action was the need for treatment to reflect the characteristics of minors and to be in keeping with the guidelines on the prevention of juvenile delinquents. The establishment of machinery to aid victims was also a necessary adjustment of the penal justice system. Restitution and compensation machinery and social services to assist victims, especially psychological help, should be developed virtually throughout the region.

82. Several representatives emphasized that poverty and the diversion of funds were the two faces of the same coin. The interlinkage between juvenile crime, urban criminality and the more sophisticated forms of organized crime were clearly in evidence. The resulting global interdependence gave international cooperation a predominant role to play. That cooperation could take various forms, such as the exchange of experience and information and the preparation and implementation of technical assistance programmes, for which the United Nations crime prevention and criminal justice programme offered an appropriate framework. Securing sufficient resources for those activities was, however, essential to the specific and effective action which the States of the region had been seeking.

III. ADOPTION OF THE REPORT OF THE MEETING

83. At its final meeting, after having examined a draft declaration of support for the multilateralization of the Institute, which had been circulated approximately a year earlier to the Governments of the region by the Ministry of Justice of Costa Rica, and amended it as a result of informal consultations between the delegations of Argentina, Chile, Colombia, Costa Rica, Cuba, Uruguay and Venezuela, the Meeting adopted the final text and a draft resolution, the text of which is contained, together with the declaration, at the beginning of the present report. Finally, the Meeting unanimously adopted the draft report introduced by the Rapporteur.

Notes

[1]General Assembly resolution 35/171, annex.

[2]United Nations publication, Sales No. E.91.IV.2, chap.I, sect. C.

[3]General Assembly resolution 45/110, annex.

[4]General Assembly resolution 45/118, annex.

[5]General Assembly resolution 44/25, annex.

[6]General Assembly resolution 40/34, annex.

Annex I

LIST OF PARTICIPANTS

Member States

Argentina

Jorge Luis Maiorano, Ministro de Justicia

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Ramón Miguel Govi, Director, Instituto de Formación de Personal del Servicio Penitenciario Federal

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Arturo Peredo, Asesor de Gabinete, Ministerio de Justicia

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Sandra Ceballos Arevalo, Asesora de Despacho, Ministerio de Relaciones Exteriores

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José Enrique Castro Marin, Procurador Penal, Procuraduría General de la República

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Alexander Obando Melendez, Coordinador, Area Convivencia

Henry Issa El-Khoury, Magistrado Suplente, Corte Suprema y Profesor en Derecho, Universidad de Costa Rica

Cuba

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Renén Quiros Pirez, Dirección de Tribunales Populares, Ministerio de Justicia

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Salvador Barros Horcasitas, Director de Normatividad, Dirección General de Supervisión de Servicios de Protección Ciudadana

Bruno Morales Tirado, Subdirector de la Dirección General de Prevención y Tratamiento de Menores, Secretaría de Gobernación

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Francisco Javier Piñanes, Subdirector General de Estudios, Ministerio del Interior

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Drew C. Arena, Office of International Programs, Office of the Deputy Attorney General, Department of Justice

Uruguay

Raúl Iturria Igarzabal, Ministro del Interior

Miguel Langon Cuñarro, Magistrado, Suprema Corte de Justicia

Venezuela

Gladys Merangel Trujillo de Mellior, Segundo Secretario y Encargado de Asuntos Culturales, Embajada en Costa Rica

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Observers

Holy See

Giacinto Berloco, Nuncio Apostólico en Costa Rica

Jorge Anibal Rojas Bustamante, Nunciatura Apostólica

Fernando Muñoz Mora, Nunciatura Apostólica

Angel Edmundo Solano Calderon, Nunciatura Apostólica

United Nations Secretariat

Department of Public Information, United Nations Office at Vienna

United Nations bodies

United Nations Development Programme, United Nations International Drug Control Programme, United Nations Operation in Somalia (UNOSOM II), University for Peace

Specialized agencies

United Nations Educational, Scientific and Cultural Organization, World Health Organization

Research institutes

Latin American Institute for the Prevention of Crime and the Treatment of Offenders

Intergovernmental organizations represented by observers

Inter-American Children's Institute, International Organization for Migration, Organization of American States

Non-governmental organizations

Category I: International Council for Adult Education, Muslim World League

Category II: Centro Nazionale di Prevenzione e Difesa Sociale, International Committee of the Red Cross, International Society of Social Defence, Latin American Association for Human Rights

Roster: Defence for Children International

Other organizations

Alliance of NGOs in Crime Prevention and Criminal Justice, Commission for the Defense of Human Rights in Central America, Earth Council, Defensoría de los Habitantes de la República (Costa Rica), Fundación PANIAMOR (Costa Rica), Penal Reform International, Universidad Centroamericana (Nicaragua).

Annex II

LIST OF DOCUMENTS

Title or description	Document number
Discussion Guide	A/CONF.169/PM.1
Provisional agenda, with annotations, and proposed schedule of work	A/CONF.169/PM.2
Discussion guide on demonstration and research workshops to be held at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders	A/CONF.169/PM/CRP.1
Report of the Commission on Crime Prevention and Criminal Justice on its Second Session	E/1993/32
Report of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders	A/CONF.l44/28/Rev.1
Report of the Ministerial Meeting on the Establishment of an Effective United Nations Crime Prevention and Criminal Justice Programme	A/46/703

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NINTH UNITED NATIONS CONGRESS ON
THE PREVENTION OF CRIME AND
THE TREATMENT OF OFFENDERS

REPORT OF THE WESTERN ASIA REGIONAL PREPARATORY MEETING FOR THE NINTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

Amman, 20-24 March 1994

CONTENTS

	Paragraphs	Page
RECOMMENDATIONS		3
INTRODUCTION	1	8
Chapter		
I. ATTENDANCE AND ORGANIZATION OF WORK	2-17	9
A. Date and venue of the Meeting	2	9
B. Attendance	3	9
C. Opening of the Meeting	4-14	9
D. Election of officers	15	10
E. Adoption of the agenda and organization of work	16	11
F. List of documents	17	11
II. REPORT OF THE DISCUSSION	18-72	11
Topic 1: International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme	18-27	11
Topic 2: Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation	28-40	13
Topic 3: Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections; and the role of lawyers	41-58	16

INDIANA UNIVERSITY

	Paragraphs	Page
Topic 4: Crime prevention strategies, in particular as related to crime in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives	59-72	18
III. ADOPTION OF THE REPORT OF THE MEETING	73-74	20

Annexes

I. List of participants 21
II. List of documents 24

RECOMMENDATIONS

The Western Asia Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, after extensive discussion of the various issues related to the four substantive topics of the provisional agenda of the Ninth Congress, as outlined in the discussion guide (A/CONF.169/PM.1), unanimously adopted the resolution presented below, recommending its submission to the Commission on Crime Prevention and Criminal Justice at its third session and, as appropriate, to the Ninth Congress for further consideration and appropriate action.

Resolution

The Western Asia Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Expressing its gratitude to the Government of Jordan for its generous assistance and its invitation to hold this Meeting under the patronage of His Royal Highness Crown Prince Hassan Bin Talal and for the high degree of importance accorded to this Meeting,

Expressing its appreciation to the secretariat of the Economic and Social Commission for Western Asia for the outstanding cooperation and support rendered during the Meeting,

Bearing in mind the responsibility assumed by the United Nations in the field of crime prevention and criminal justice under Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Recalling General Assembly resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme,

Recalling also Economic and Social Council resolutions 1992/24 of 30 July 1992 and 1993/32 of 27 July 1993 on the preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Further recalling the resolutions of the Council of Arab Ministers of the Interior, particularly those concerning the Arab security strategy, the Arab strategy to combat narcotic drugs and the five-year Arab security plans,

Aware that crime has become a major problem with national and international dimensions, hampering political, economic, social and cultural development and threatening the peace and stability of the international community,

Alarmed by the rapid growth and danger of terrorism as a form of violent crime that threatens security, stability and the rule of law,

According central importance to matters of crime prevention and criminal justice,

Considering that concern for both individual and collective security and safety is a cornerstone of Islamic society,

Expressing the desire to pursue collectively intensive multilateral cooperation under the auspices of the United Nations,

Conscious that Governments should join forces to combat the deleterious effects of transnational crime, particularly organized crime, including illicit drug trafficking, economic criminality, corruption and the flight of capital, as well as offences against the environment and against the cultural patrimony,

Convinced that the United Nations has a significant role to play in enhancing multilateral cooperation to combat crime and that the capacity of the United Nations to provide technical assistance to developing countries should be reinforced,

Welcoming the steps taken by the Commission on Crime Prevention and Criminal Justice to render the United Nations crime prevention and criminal justice programme more practical and operative,

I. Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

1. Recommends that the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders should play an active role in the identification of effective common strategies for crime prevention and criminal justice;

2. Calls on States of the Western Asia region to participate actively in the Ninth Congress, to start preparations for the finalization of national reports and to include in their delegations high-ranking officials, policy makers and experts from the various sectors of the criminal justice system;

3. Requests the Secretary-General to make every effort to facilitate the participation of as many Member States as possible in the Ninth Congress, including the provision of the necessary resources for the travel and per diem of delegations from least developed countries, in accordance with Economic and Social Council resolution 1993/32;

4. Invites the Ninth Congress to consider ways of further developing forms of technical cooperation, such as the provision of advisory services and training and research programmes, the promotion of contributions in kind and the development of working manuals;

5. Urges the Ninth Congress to place special emphasis on and ensure sufficient time for the realization of the planned workshops and the plenary discussions on crimes of corruption of all types and forms;

6. Requests the Secretary-General to continue cooperating with relevant intergovernmental and non-governmental organizations in the planning and conduct of ancillary meetings;

7. Invites the General Assembly to give due attention to the recommendations of the Ninth Congress through the Commission on Crime Prevention and Criminal Justice at its fourth session and through the Economic and Social Council;

8. Unanimously agrees on the specific recommendations regarding the substantive topics of the Ninth Congress given below;

A. International cooperation and practical technical assistance to strengthen the rule of law

9. Urges Member States to continue to make every effort to strengthen the rule of law, including the promotion of the use and application of United Nations standards and norms in crime prevention and criminal justice;

10. Calls on Member States to intensify their efforts for more consolidated cooperation and coordination in the field of crime prevention and the treatment of offenders, in order to establish integrated and harmonized regional policies, programmes, plans and mechanisms, with due regard for common social and religious traditions and values;

11. Calls on States in the Western Asia region to give urgent and priority attention to intensifying subregional and regional cooperation in this field within the framework of regional arrangements, infrastructures and mechanisms, on the basis of the principles of the Islamic legal system;

12. Invites Member States to actively support the United Nations crime prevention and criminal justice programme in organizing and carrying out operational activities in developing countries and countries in transition, by means of substantive and extrabudgetary contributions;

13. Requests the Secretary-General to further strengthen operational activities in developing countries and countries in transition by providing advisory services and training programmes and carrying out field studies at the country level;

14. Reaffirms the importance of the Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice[1] in strengthening the rule of law at the national and the regional levels;

15. Expresses its appreciation to the Arab Security Studies and Training Centre for its significant role in rendering technical assistance to and fostering cooperation among Arab States, on a bilateral and multilateral basis and at the subregional and regional levels, as well as in facilitating the exercise of the United Nations global coordination function, inter alia, through its generous hosting of joint programme coordination meetings of the United Nations crime prevention and criminal justice programme network;

16. Requests the Secretary-General to strengthen the budget of the Economic and Social Commission for Western Asia with a view to establishing, developing and implementing a new crime prevention and criminal justice programme at the regional level and providing all possible assistance, including human resources and technical expertise;

B. Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment

17. Expresses support for the World Ministerial Conference on Organized Transnational Crime, to be held at Naples, Italy, from 24 to 26 October 1994;

18. Also expresses support for the International Conference on Laundering and Controlling Proceeds of Crime: a Global Approach, to be held at Courmayeur, Italy, from 17 to 21 June 1994;

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[1] United Nations publication, Sales No. E.92.IV.1.

19. Expresses its appreciation of the initiatives taken by the Council of Arab Ministers of the Interior in relation to organized crime;

20. Calls on Member States to promote further cooperation between their national crime prevention and criminal justice sectors in order to undertake international action against transnational and organized crimes, such as illicit drug and arms trafficking, laundering of proceeds of crime, forgery of currency, computer crimes, theft of motor vehicles and damage to cultural patrimony, and to improve information exchange, in particular at the regional level;

21. Urges Member States to cooperate in identifying specific measures against corruption, bribery and the abuse of power;

22. Also urges Member States to cooperate in identifying and combating the new forms of organized crime, particularly crimes of terrorism, regardless of their objectives, which disrupt the security and stability of democratic societies through acts of violence, which constitute a dangerous form of organized crime, and urges them to provide further assistance at the international, regional and bilateral levels to prevent and combat this crime effectively;

23. Calls on Member States to strengthen their cooperation in exchanging information on national experiences and practices regarding transnational and organized crime and terrorism, and to supply data and information regularly thereon to the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna;

24. Also calls on Member States to continue to pay due attention to the role of criminal law in the protection of the environment;

25. Requests the Secretary-General to establish an integrated system of periodic gathering and redissemination of information on national legislation, and urges Member States to provide the relevant data to encourage progressive harmonization regarding, inter alia, international cooperation, extradition and mutual assistance in criminal matters;

26. Also requests the Secretary-General to seek close coordination between the Crime Prevention and Criminal Justice Branch and other United Nations entities, in particular the United Nations International Drug Control Programme, as well as the Centre for Human Rights of the Secretariat, and to encourage further cooperation with official and unofficial international bodies concerned, through joint programmes and projects;

C. Criminal justice and police systems

27. Urges Member States to monitor human resources development and to promote operational research in order to design future plans on a scientific basis with a view to curbing crime and upgrading the skills of law enforcement and criminal justice personnel, on which criminal justice management depends;

28. Calls on Member States to enhance the community policing approach, both generally and in particular in relation to minorities and indigenous peoples, with a view to reducing the social distance between law enforcement officers and the public they serve, in order to ensure role visibility and increase public trust and confidence;

29. Urges Member States to ensure the independence of the judiciary and the proper functioning of prosecutorial and legal services, taking into account the Basic Principles on the Independence of the Judiciary,[2] the Guidelines on the Role of Prosecutors[3] and the Basic Principles on the Role of Lawyers;[4]

30. Also urges Member States to promote the application of non-custodial measures, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules),[5] and to promote action to combat the exposure of juveniles to delinquency as an alternative to criminal prosecution;

31. Calls on Member States to improve the protection of victims and to strengthen their role in the criminal justice process, in conformity with the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power;[6]

32. Requests the Secretary-General to promote technical cooperation projects on penal law reform and modernization of criminal justice administration, particularly in the fields of data collection and computerization, training of law enforcement officers, the promotion of non-custodial measures and prisoners' welfare, with emphasis on the observance of the Basic Principles for the Treatment of Prisoners;[7]

33. Also requests the Secretary-General to play an active role in urging developed countries to provide support by supplying and maintaining technological aids for law enforcement agencies in developing countries;

34. Reaffirms the importance of respect by law enforcement officers for human rights in order to ensure the effectiveness of criminal justice and police systems and the acceptance of these systems by the local community;

D. Crime prevention strategies, in particular as related to crime in urban areas and juvenile and violent criminality, including the question of victims

35. Invites Member States to develop effective strategies for the prevention and control of crime in various areas, especially urban and semi-urban areas, as well as juvenile delinquency, violent crime, including domestic violence, and victimization, paying due regard to the role of religion, the family, the school and upbringing, and taking into account existing economic and social needs and conditions;

36. Also invites Member States to pay special attention to the pre-delinquency stage of juveniles with a view to studying the factors associated with criminality and establishing appropriate prevention mechanisms;

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[2]Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.2, annex.

[3]Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. C.26, annex.

[4]Ibid., sect. B.3, annex.

[5]General Assembly resolution 45/110, annex, of 14 December 1990.

[6]General Assembly resolution 40/34, annex, of 29 November 1985.

[7]See First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat (United Nations publication, Sales No. 1956.IV.4), annex I.A.

37. Calls on Member States to promote the adequate control of firearms and other high-risk weapons by means of both regulations and law enforcement, with a view to reducing the incidence of violent criminality;

38. Urges Member States to give attention to public awareness, to promote the role of information in crime prevention and to request the Crime Prevention and Criminal Justice Branch, in collaboration with specialized research centres and experts, to prepare a manual for public awareness campaigns which States can use as a guideline for the formulation of national public awareness programmes;

39. Reaffirms the significance that the Western Asia region accords to the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines),[8] the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)[9] and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,[10] as effective instruments to prevent juvenile delinquency and promote juvenile justice;

40. Requests the Secretary-General, in collaboration with the Arab Security Studies and Training Centre, to expedite, as a matter of priority, the completion and publication of the draft "Manual on United Nations standards, policy and instruments: a justice model for young offenders", as a model and guide for the future action of States in the field of juvenile justice, including the upgrading of professional performance;

II. Strengthening the Secretariat

Requests once again the Secretary-General, as a matter of urgency, to give effect to General Assembly resolutions 46/152 of 18 December 1991, 47/91 of 16 December 1992 and 48/103 of 20 December 1993 and to Economic and Social Council resolutions 1992/22 of 30 July 1992 and 1993/34 of 27 July 1993 by strengthening the Crime Prevention and Criminal Justice Branch, by providing it with the resources required for the full implementation of its mandates and by upgrading it to a Division, headed by a Director.

INTRODUCTION

1. The Western Asia Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was the culmination of a series of five regional meetings convened to discuss the substantive items included in the provisional agenda of the Ninth Congress, to be held in 1995. The provisional agenda of the Ninth Congress is contained in Economic and Social Council resolution 1993/32 of 27 July 1993, adopted on the recommendation of the Commission on Crime Prevention and Criminal Justice. At its forty-eighth session, the General Assembly adopted resolution 48/103, in which it welcomed Council resolution 1993/32 and requested the Secretary-General to undertake all steps necessary to ensure the adequate organization of the Ninth Congress in accordance with that resolution. The Meeting was organized by the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna, in cooperation with the Economic and Social Commission for Western Asia (ESCWA) and with the support of the Jordanian Government.

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[8]General Assembly resolution 45/112, annex, of 14 December 1990.
[9]General Assembly resolution 40/33, annex, of 29 November 1985.
[10]General Assembly resolution 45/113, annex, of 17 December 1990.

I. ATTENDANCE AND ORGANIZATION OF WORK

A. Date and venue of the Meeting

2. The Meeting was held at the Royal Cultural Centre at Amman from 20 to 24 March 1994.

B. Attendance

3. The Meeting was attended by representatives and experts from States members of ESCWA, observers from United Nations bodies, specialized agencies and intergovernmental and non-governmental organizations. A list of participants is contained in annex I.

C. Opening of the Meeting

4. The representative of the Crime Prevention and Criminal Justice Branch, in transmitting the warm greetings of the Director-General of the United Nations Office at Vienna, thanked ESCWA and all those involved in hosting and organizing the Meeting, which was convened under the patronage of His Royal Highness Crown Prince Hassan of Jordan. The Western Asia region was fortunate to have achieved a high level of social integration and legal harmonization, as sound foundations for successful crime prevention, based on Islamic principles and Islamic law.

5. After many years of tragic division, the countries of the region, and especially the Palestinian people, were endeavouring to leave future generations a legacy of peace and cooperation in a context of respect for everyone's rights. It was clear that the search for a comprehensive, just and lasting settlement in the Middle East must be accompanied by an effective role of the United Nations not only in promoting economic and social development, but also in assisting in the establishment of an effective law enforcement and criminal justice infrastructure, and in enhancing public safety and social peace. The Crime Prevention and Criminal Justice Branch stood ready to contribute to that process, in particular with regard to justice reform and technical cooperation, including the training of police, prison staff and judicial personnel.

6. He also said that the Ninth Congress would be held in less than one year, as one of the first international events taking place during the fiftieth anniversary year of the United Nations, and marking the fortieth anniversary of the congresses. It might be hosted for the first time by an Arab country, although the venue had still to be confirmed, and there were reasons for concern, in view of the limited time remaining. The Ninth Congress would provide an ideal global framework within which to fortify the foundations and consolidate efforts towards strengthening interregional cooperation, serving the interests and meeting the needs of all countries.

7. The Executive Secretary of ESCWA observed in his statement to the Meeting that the security of countries of Western Asia was one of the top priorities for the region and for the United Nations. Fortunately, the Arab world still enjoyed an abundance of positive features that influenced the essential nature of its social security, making it more suitable for crime prevention and more capable of dealing with crime-related phenomena and containing their effects. Crime in the Arab world in general had not reached the high levels of sophistication or organization, in terms of institutional structures and transnational links.

8. In general, the Arab world had moved in step with the international community in adopting measures to prevent crime and limit its adverse effects. Within the context of cooperation and coordination for crime control in the Arab world, the League of Arab States had established the Council of Arab Ministers of the Interior, which included offices entrusted with crime control; enhancing police systems; securing cooperation in drug control; and providing assistance in the field of civil protection and rescue.

9. Despite the importance of such actions, they remained insufficient to match developments in crime in the Arab world. Wars, social and political conflicts, uneven distribution of wealth, demographic pressures and problems in technological advancements, rapid or unbalanced economic growth and the revolution in communications had all had an impact on social security. The detrimental effects of those influences had been limited by a number of factors in the region, including strong family ties and education, religious principles and ethical values, as well as penal legislation. There was a growing awareness in most countries of the region that such legislation should be updated and consolidated within a strategic vision of the overall approach to development. ESCWA attached great importance to the needs of the countries of the region in the field of social security.

10. The Minister of the Interior of Jordan, on behalf of His Royal Highness, the Crown Prince, welcomed participants to Amman, which had been a haven for humanitarian efforts aimed at the welfare of the international community. Crime was one of the biggest challenges facing the countries of the world. It had infiltrated all aspects of daily life, taking advantage of the technological advances in different fields. It ranged from economic crimes to crimes of violence and environmental criminality.

11. The Minister of the Interior said that numerous crime prevention programmes were being implemented by Jordan, and all efforts were being made to strengthen international cooperation in the Arab world and at the international level. For example, Jordan had been a member of the International Criminal Police Organization (ICPO/Interpol) since the early 1950s and had taken part in the policy formulation of that organization, having been a member of its Executive Committee on various occasions.

12. There was close coordination and cooperation involving European and Arab countries to prevent the spread of the scourge of crime related to illicit drugs, especially the use of the area as a gateway for transporting drugs from production to consumption areas. That was evidenced by the data on drug seizures registered with the United Nations and ICPO/Interpol.

13. Jordan paid great attention to State institutions and the rule of law. Anyone who exercised their rights in the country enjoyed protection of person and property. Personal freedom was safeguarded as long as the law was not violated. Prisons had become rehabilitation centres with the necessary guarantees of the rights of detainees. Those institutions comprised workshops and agricultural and livestock projects, offering inmates the chance to learn jobs while being paid, which would help them after the completion of their sentences.

14. The criminal justice institutions in Jordan, including the police, the public prosecutor's office, the judiciary and the penal institutions, constituted a chain with a clear objective that eventually led to crime reduction and control. The police force possessed the required human resources and advanced material means to enable it to prevent crime effectively. In fact, it had succeeded in reducing crime rates year after year, solving 94 per cent of crimes committed in 1993.

D. Election of officers

15. The Meeting elected the following officers by acclamation:

Chairman:	Mohammad Anwar Basoul (Jordan)
Vice-Chairman:	Abdulrahim M. Al-Ghamdi (Saudi Arabia)
Rapporteur:	Wahid Galal (Egypt)

E. Adoption of the agenda and organization of work

16. The Meeting adopted the following agenda:

1. Opening of the Meeting.

2. Organizational matters.

3. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme.

4. Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation.

5. Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections and the role of lawyers.

6. Crime prevention strategies, in particular as related to crime in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives.

7. Adoption of the report of the Meeting.

F. List of documents

17. The documents before the Meeting are listed in annex II.

II. REPORT OF THE DISCUSSION

Topic 1: International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme

18. Many delegations concurred that international cooperation in the field of crime prevention and criminal justice constituted a priority concern for the Western Asia region, particularly in relation to organized transnational crime, the most serious negative impact of which was occurring in developing countries. International, regional and bilateral cooperation was the cornerstone of any committed response to control crime-related phenomena and their effects.

19. A prerequisite to the success of such arrangements was the full utilization and mobilization of all sectors within the national framework. In particular, comprehensive inter-agency coordination within national justice systems was necessary, as was the effective involvement of mass media, educational and religious institutions, the family and the community. The contribution of non-governmental organizations should be used to bolster those efforts.

20. The States of Western Asia acknowledged the need to consolidate cooperation and intensify collective efforts to address the vital security concerns of the region, drawing upon existing regional mechanisms and specialized institutions in the field, such as the Arab Security Studies and Training Centre at Riyadh. An important role was envisaged for ESCWA as a regional partner in those efforts. That role could be effectively exercised with the development of the substantive programmatic capacity of ESCWA in crime

prevention and criminal justice. Such a role would complement global efforts and activi es, including those of the Crime Prevention and Criminal Justice Branch.

21. More effective procedures were required in order to bring offenders to justice. As criminals were increasingly taking advantage of disparities in legal systems, investigative procedures and capabilities and different degrees of punishment, it had become evident that all such matters should be more closely harmonized. Consequently, the existing arrangements for mutual assistance should be strengthened, also drawing upon United Nations model treaties in crime prevention and criminal justice. That was of particular importance in cases where criminal actions were aimed at undermining and destabilizing peace, order and security, thus directly violating individual rights and freedoms. In particular, modalities to achieve effective international cooperation to combat violent criminal activity for political ends should be accorded high priority by the Ninth Congress.

22. Innovative bilateral and multilateral initiatives under the auspices of the United Nations would strengthen criminal justice and the rule of law. States were increasingly looking towards the United Nations for technical assistance, particularly in relation to critical situations, as in the case of Somalia. Only a few years ago, that country had maintained a functioning law enforcement and justice system, but with the breakdown of the central authority, the system had collapsed. Crime had become rampant, exacerbating preexisting crises. As Somalia, under general United Nations supervision, was gradually moving towards the restoration of the rule of law, an urgent need was arising for the international community to commit resources to repair the immense damage that had been caused to the police and justice system and its capacity to protect individual rights.

23. It was observed that the capacity of the United Nations crime prevention and criminal justice programme to render technical assistance, should be strengthened to enable it to respond better to the needs of Member States, bearing in mind different regional requirements and conditions. A more responsive programme would better suit the ever-changing challenges to States in respect of crime prevention and criminal justice.

24. As no State remained unscathed from the various forms of crime, which were infiltrating even the most heavily fortified frontiers, the reinforcement of common defences was vital. Rather than succumbing to the insidious forms of crime, States had to become more proactive in conquering it. There were ample examples around the world of the debilitating effects of criminality on States, such as corruption, criminal violence committed by terrorists, and illicit drug and arms trafficking. Consequently, States were increasingly entering into partnerships on a bilateral or multilateral basis, for the transfer of technology and know-how. That was facilitated where groups of States had a common approach to crime prevention and shared legal principles. Improved regional and interregional dialogue concerning practical experience with crime prevention strategies and modalities was of mutual benefit. Justice systems, agencies and personnel had to engage more actively in transborder cooperation and joint operations. Similarly, decision makers, scientists, professionals and experts should contribute by providing the necessary leadership and vision.

25. It was observed that there appeared to be a race for the utilization of new technology on the part of both law enforcement authorities and offenders. That necessitated forward-looking strategies on the part of the international community and national criminal justice agencies, employing more preventive action, trend analysis, planning and evaluation, taking into account recent developments in technology. There was a call for more effective use of intelligence and other information, together with expeditious communication to keep abreast of newly emerging forms and dimensions of criminality, especially transit traffic in illicit drugs, which was of great concern to the region.

26. In that context, it was noted that crime was associated with socio-economic factors; its incidence could therefore be affected by the actions and policies of States in relation to such factors. In particular, the impact of poverty was viewed within the region as criminogenic. Those States endowed with resources were often

reluctant to use them to tackle such problems, which led to estrangement from and violation of cultural norms. Illicit drug cultivation and prostitution were especially illustrative of that point. Furthermore, greater emphasis had to be given to understanding the basic motivation for, and cause of, criminal conduct, a point that had been largely overlooked at the international level. An accurate examination and diagnosis had to be undertaken before any attempt was made to reduce criminality. The international community had thus far not taken the appropriate measures in that regard, regardless of the various types of response made and of whether the criminality had been simple or sophisticated, minor or major. That view should be taken into account by the Ninth Congress in its overall consideration of problem-solving, with a view to ensuring an acceptable quality of life for individuals everywhere as a goal of paramount importance.

27. Some delegates noted that the heritage of Islam provided a traditional means of promoting spiritual values that were in and of themselves preventative and curative. Islamic society fostered the successful upbringing of the young, with ethical inspiration and motivation as a basis for prevention. It preserved the rightful status and role of the family in primary education and ethical guidance. That, in turn, promoted respect for interpersonal relations and law-abiding conduct. States within the region were seriously concerned about systems where certain individual conduct was condoned by the law on the basis that it had no immediate and direct harmful impact upon other individuals. All such conduct adversely affected not only the individual and his or her own community, but also general normative values throughout the world. However, it was also stressed by other participants that legal systems should safeguard and not encroach on rights and freedoms, in particular when existing legislation was revised or amended or new legislation was introduced.

Topic 2: Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation

28. Organized crime was doubtless one of the most serious problems currently facing the international community, given its grave consequences in terms of the number of persons affected and the extent of its incidence, which often made developing countries in particular the victims, in view of their economic and social conditions. Technical and scientific development had further increased the harm caused by organized crime, because of the use by criminals of modern scientific means provided by the immense capacities of organized crime, which sometimes exceeded the capacities of the States concerned, thereby preventing the detection and apprehension of criminals. Even if an exact definition of organized crime had so far not been agreed upon internationally, its impact on society as a whole was widely recognized. Organized crime caused many problems and difficulties which made it imperative for the international community to cooperate in a special and effective manner.

29. Some delegates mentioned that organized crime, manoeuvred by organizations that were extending their reach far beyond national frontiers, was continuously expanding operations to new locations and earning staggering annual profits. Increased mobility, free trade and high-technology telecommunications made it easier to smuggle drugs and launder money across borders, high crime-derived profits were being transferred through the world financial markets each day. With its links to the illicit drug trade and its interfaces with other illicit activities, such as corruption and abuse of power, organized crime could subvert national economies and undermine shaky political structures, particularly in view of the difficulties involved in identifying and bringing to justice major offenders and the problems involved in tracing and confiscating the proceeds of their crimes.

30. Related forms of criminality, such as economic crime, including embezzlement and money- laundering, as well as the theft of works of art representing the cultural heritage of nations, were increasingly straining law enforcement efforts and required highly sophisticated countermeasures. Drug trafficking in particular, the mainstay of organized crime, was progressively victimizing States, leaving fewer and fewer unscathed; its destructive path led across all regions, penetrating national sovereignty and infiltrating even the most

heavily fortified borders. As the use of transit States gained in significance, the spill-over effect of drug abuse could be felt in previously unaffected territories. That phenomenon underlined the vulnerability of States, and the compelling necessity to consolidate efforts to fortify common defences.

31. Even where there were relatively low levels of crime, continued vigilance was necessary to ensure security. The transborder nature of modern criminality meant that no States could enjoy complete immunity. Tackling transnational crime was one of the biggest challenges to which a concomitant, effective response must still be found. That necessitated joint strategies, including the upgrading of professional performance and service delivery across justice systems. It had become clear that only by facing transnational crime in a concerted manner, in close cooperation with each other, could Governments hope to make inroads on a problem that transcended the capacity of national mechanisms alone.

32. In order to combat organized crime more effectively, specific proposals were made to achieve the following goals:

(a) To standardize the legal provisions for those crimes and the description of the acts that were designated as criminal;

(b) To ensure the compatibility of prescribed penalties for those crimes in different countries in order to prevent criminals from taking advantage of any diversity of criminal law;

(c) To promote the exchange of information on national experiences and effective measures of prevention, including the establishment of an international data centre;

(d) To encourage States to cooperate in practical terms and in an immediate and effective manner, on the basis of reciprocity, and in accordance with national laws, even without having previously concluded formal agreements;

(e) To conclude international agreements for judicial and legal assistance in the collection of evidence, the apprehension and trial of suspects, and the enforcement of sanctions;

(f) To urge States to maintain regular consultations and cooperation for the detection of new patterns and forms of organized crime;

(g) To design measures to prevent perpetrators from taking advantage of the proceeds of organized crime by way of money-laundering or other activities.

33. Terrorist criminality was the most violent form of criminality, presenting a direct threat to international stability and peace-building efforts. Those acts were also a threat to the well-being of citizens and to national security, constituting a frontal attack against the foundations of the rule of law, as represented by the values of democracy, freedom and fundamental human rights. Therefore, it was suggested that the Ninth Congress should provide a forum to discuss that important issue within the framework of its agenda.

34. In many countries adequate consideration had not been given to the role of criminal law in the protection of the environment. As a result, adequate penal legislation to deal with environmental offences did not exist in many countries. The export and dumping of toxic waste, especially nuclear waste, was of particular concern. Some of the most developed countries were exporting their hazardous products to developing countries, thereby damaging the fragile ecosystems of the whole world. Furthermore, if a citizen suffered harm as a result of damage to the environment, there was often no adequate recourse procedure for appropriate compensation. It was, therefore, important that there be environmental protection programmes, as well as education, to advise citizens about their rights and duties.

35. In that connection, both the limits and the potential of the role of criminal law in protecting the environment should be carefully examined. If criminal law were applied in an indiscriminate manner, its effectiveness could be reduced. In many cases the desired goal of environmental protection could best be achieved through negotiation and administrative procedures, using criminal law as the last resort. In any case, criminal law should only be applied where there was criminal intent. In view of that, the Ninth Congress should deliberate carefully on the matter, considering recent developments and providing countries with guidance on what should be regarded as criminal offences against the environment at the national, regional and interregional levels.

36. The Meeting was informed of recent steps taken to face the challenge posed by transnational criminality within the framework of the Council of Arab Ministers of the Interior. Since its establishment more than one decade earlier, the Council had adopted 227 resolutions to promote mutual cooperation and coordination among Arab States in the field of crime prevention and criminal justice. The most outstanding effort was the adoption of an Arab security strategy in 1983, aimed at the creation of a common policy for the effective prevention and control of crime in the Arab world, particularly with respect to the modernization of security systems and penal and penitentiary institutions, taking into account recent developments in science and technology. The strategy was also designed to promote the general participation of citizens in crime prevention and criminal justice and the exchange of information and experiences in that area. As follow-up to the strategy, five-year Arab security plans were adopted by the Council, to be implemented in cooperation with the Arab Security Studies and Training Centre.

37. Another important accomplishment of the Council was the adoption, in 1986, of an Arab strategy for controlling illicit use of narcotic drugs and psychotropic substances, aimed at reducing the illicit supply of and demand for those substances at the regional and interregional levels. It was supplemented by two five-year plans, to be implemented in collaboration with the Arab Security Studies and Training Centre. The objectives were to develop and upgrade the Arab drug combating systems, in accordance with recent advancements and modern techniques. In 1986, the Council had also adopted a unified Arab model law as a guideline to be used by Arab States in revising their drug-related laws and legislations. In 1994, the Council had endorsed the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

38. Regarding trafficking in migrants, it was noted that it was not a new phenomenon. In recent years, however, as a result of a dramatic reduction in the barriers to movement, coupled with increased disparities of income and the demand for cheap labour, the size of the problem had increased. While migration had continued to have benefits for all concerned, it must be orderly and respond to the needs of sending and receiving countries. Trafficking in migrants caused major disruptions in the orderly flow of legitimate migration processes. It was a criminal activity that was often more profitable than drug trafficking and that generally entailed lower penalties. The International Organization for Migration (IOM) at Geneva had undertaken a variety of valuable activities in response to trafficking in migrants, including the provision of assistance to illegal migrants in returning home voluntarily, the exchange of information, the publication of newsletters and the organization of regional and international meetings.

39. Counterfeiting was considered by several delegates to be a particularly grave economic crime, since the economic strength of a country was reflected in the strength of its currency and its ability to affect international markets. Any imbalances in the currency relative to the true economic condition of the country caused inflation and resulted in a reduction of the purchasing power of the currency, as well as creating distrust among the citizens of those countries whose economies were affected. Counterfeiting was a crime that made use of sophisticated techniques and was facilitated by new communications technologies. It had a number of phases, ranging from preparations for printing to circulation. Every State should combat counterfeiting, preferably using scientific techniques, regardless of whether or not its own currency was affected by such crime. Once detected, the crime should be quickly disclosed, especially to adjacent States that might be particularly affected by it. It was considered that there should be an international agreement to cover the

counterfeiting of currency. Any international agreements concerning economic crimes, such as the tracing, seizure and confiscation of the proceeds of crime, should be fully incorporated in national legislation. It was agreed that counterfeiting should be an item on the agenda of the Ninth Congress.

40. Several delegates referred to the increase in the incidence of car theft in the region, a special form of organized crime. Such crime was often connected with insurance fraud whereby the owner of the car participated in the perpetration of the so-called "theft". To prevent and investigate such offences more effectively, it was suggested, inter alia, that a well-functioning information exchange system should be established, not only between States, but also between governmental authorities and insurance companies.

Topic 3: Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections; and the role of lawyers

41. Computerization, operational research and development of human resources were considered by many delegates as crucial to improving law enforcement. Effective policing also had to be seen in the context of up-to-date legislation, which should be regularly reviewed to ensure that it dealt adequately with new patterns in criminal activities, such as organized and transnational crime and computer crime.

42. Special attention should be paid to the qualifications of personnel working in criminal justice administration. They should be given an education compatible with their responsibilities, as well as specialized courses on international instruments relating to human rights in criminal justice and the functioning of the justice system. There should be in-service training for staff at all levels. Such training should comprise familiarization with the most recent scientific developments and the examination of problems and proposals for practical solutions. Training should be provided through local and international seminars, and the United Nations and regional and interregional bodies should play an important role in that process. Furthermore, criminal justice authorities should be provided adequate personnel to cope with the workload and enhance performance.

43. The proper selection of police and the classification of functions and job descriptions were important for the effective management of human resources. It was pointed out that job descriptions and classifications of functions tended to be undefined. That had implications for professional performance, career development and promotion. Moreover, the duties of police sometimes needed to be more clearly defined in order to assist them in the proper exercise of their functions. Such problems were undermining the capability of police to respond with optimum efficiency to the challenges posed by crime; that development was taking place at a time when those challenges were undergoing a fundamental change.

44. A significant factor in policing was the extent of police and security functions handled by the private sector, whose technical resources were frequently superior to those available to the public sector. However, the selection and training of personnel required considerable supervision. Better coordination and complementarity among the two sectors could improve public safety if they were carefully regulated by State authorities.

45. It was also emphasized that the performance and management of criminal justice systems should be enhanced by formulating policies to ensure their development in a balanced and integrated manner. Those policies should be aimed at achieving the modernization of operational systems, for example, through computerization, the application of the latest technology and the use of common terminology for the exchange of information and experiences. New techniques were being used to some extent within the region, for example, with regard to the computerization of fingerprints and the storage and retrieval of documentary evidence. Nevertheless, developing countries had not been able to take full advantage of the range of those new computerized techniques, owing to a lack of resources and trained personnel. Areas of particular need included not only the establishment of sophisticated criminal information systems, but also the basic

collection and analysis of information, including statistics. Studies should also be conducted on the admission of technical evidence and its acceptance in court.

46. It was noted that, without such improvements, criminal justice authorities would find it difficult to cope with rapid developments in criminal activities. Moreover, most criminal justice information systems tended to concentrate on investigation. Their scope should be enlarged to include crime prevention and follow-up action.

47. It was emphasized that the provision of international assistance, through the United Nations, its development programmes or other interregional or regional mechanisms, should be a priority issue for consideration by the Ninth Congress. That would ensure a coordinated approach to combating crime on the part of all the countries concerned, especially with regard to new forms of organized transnational crime.

48. There was a need for police forces to develop their own in-house research capacity, particularly with regard to projecting and monitoring crime trends, as well as planning preventive police action. However, it was acknowledged that the operational demands of police work seldom allowed resources to be allocated for long-term research activities. Therefore, police forces should continue to foster relations with independent external research institutions, both locally and internationally, and such institutions should be encouraged to carry out police-related research. In that regard, it was important for police to cooperate by making their own operational expertise accessible to researchers. Subject to operational confidentiality and sensitivity, the provision of data was crucial to policy-oriented research that would benefit police planning and management.

49. The view was also expressed that the performance and management of the police should be enhanced through modernization and the provision of scientific facilities to help the police to detect and investigate crime, gather evidence and apprehend and prosecute offenders. There was a need to facilitate the intercountry exchange of information on crime and criminals, through bilateral, regional or international arrangements, in order to assist the police in discharging their functions efficiently.

50. In discussing the responsibilities of the police in the context of law enforcement, several delegates noted that, of all the sections of the criminal justice system, the police force tended to be the one most exposed to the daily realities of crime. The importance of developing mutual trust and cooperation between the police and the public was emphasized, especially in developing countries, since the police needed the support and cooperation of the public to carry out their duties successfully.

51. There tended to be a general lack of appreciation for the heavy burden and increasingly complex role of the police, which affected morale adversely. Some law enforcement officials appeared to hold the view that observance of human rights hindered police effectiveness; however, it was pointed out that the opposite was true. Violating human rights might appear to satisfy the immediate requirements of law enforcement, but it carried a medium- and long-term risk of creating an adversarial relationship between the police and the public. That risk increased in the case of migrant populations, whose numbers were growing both in the region and throughout the world.

52. It was also noted that the voluntary sector, including non-governmental organizations, constituted a vast pool of human resources and skills to assist in community policing, where appropriate. Accordingly, there was a continuing need for greater dialogue between the police and the public. In that respect, the development of community policing approaches was to be welcomed. It was also suggested that the United Nations should decide to observe an international police day on which it could promote a series of lectures and seminars on relevant themes to increase global awareness of the importance of the role of the police.

53. Some participants observed that crime prevention should not be limited to law enforcement officials; it should be shared to some extent with the community and private citizens. While the role of such persons

might be limited to being witnesses or providing information to the police, they could also be given a more active role in law enforcement in the form of "people's police" or "police auxiliaries". In some countries, local councils formed part of the police organization, thus affording the public the opportunity to provide input into the law enforcement system. It was also stressed that the role of the public in law enforcement, and the circumstances in which the public might share in the functions of the police, should be carefully considered and discussed, since law enforcement affected fundamental rights and basic freedoms.

54. With regard to the role and functions of prosecutors, it was felt by some participants that such persons should enjoy a certain degree of authority and immunity. In particular, they should be vested with the power to refrain from prosecution for legal or substantive reasons, subject to judicial review.

55. In the area of penal sanctions and the treatment of offenders, some participants pointed out that non-custodial measures should be applied more often, especially in the case of minor offences. That would help to overcome the problem of overcrowding in prisons and would avoid the adverse effects frequently resulting from custodial penalties.

56. The importance of maintaining family ties and promoting religious precepts in the context of the rehabilitation of offenders was also emphasized. In many countries of the region, prisoners were granted early release for good behaviour and progress in religious studies. Inmates also received vocational training and opportunities for paid employment within prisons, as well as social support after release, to promote their rehabilitation and reintegration into society. A number of participants proposed exploring ways and means of reducing to a minimum the financial impact of imprisonment on the family of the offender. It was agreed that the issue of corrections merited in-depth discussion at the Ninth Congress.

57. All participants concurred that offenders' rights should be safeguarded in accordance with international instruments, especially the Standard Minimum Rules for the Treatment of Prisoners (adopted by the First Congress and approved by the Economic and Social Council in its resolution 663 C (XXIV)), which provided valuable guidance on a range of issues, including classification and separation of prisoners and the provision of adequate food, accommodation and medical care. Further standards referred to by the Meeting included the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) (adopted by the General Assembly in its resolution 45/112); the Basic Principles on the Use of Force and Firearms by Law Enforcement Officers (adopted by the Eighth Congress); the Guidelines on the Role of Prosecutors (adopted by the Eighth Congress); and the Basic Principles on the Independence of the Judiciary (adopted by the Seventh Congress). Several delegations reported on their countries' use and application of those standards.

58. One of the most critical aspects of criminal justice was how to help the victims of crime, especially if they were unable to recover compensation from the offenders. In such cases the role of the State or human rights institutions in providing compensation and mechanisms to assist the victims in other ways, such as through legal aid, should be considered. Attention should also be paid to alternatives to prosecution, such as conciliation proceedings between the victim and the offender in the case of minor crimes.

Topic 4: Crime prevention strategies, in particular as related to crime in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives

59. There was agreement that crime prevention was of central importance and that it required a comprehensive, forward-looking perspective, as well as an understanding of the realities of the current situation. Effective crime prevention had to be able to take into account future developments and to be based on a comprehensive strategy.

60. It was observed that one important aspect of effective crime prevention was the detection and apprehension of criminals, in view of the deterrent effect of such action on potential offenders. However, it was also important to focus attention on the pre-crime stage of crime prevention. While the precise cost-benefit outcome of crime prevention was difficult to evaluate, there was strong evidence that well-formulated strategies and properly targeted crime prevention measures produced substantial rewards for society.

61. Attention was drawn to the growing problems of urban violence and crime, which were likely to be exacerbated as the drift from rural areas to cities was continuing unabated in many countries. Internal migration to cities left rural inhabitants cut off from their previous communities, faced with the challenge of integrating into an urban culture that was frequently not receptive. At the same time, resources available within cities were placed under heavy strain, leaving many basic needs of the increased populations unmet. That constituted an important factor conducive to crime, juvenile delinquency, addiction and violence. Slum conditions were, by definition, criminogenic. Coupled with that, a growing characteristic of modern urban environments was multi-ethnicity, because of the inflow of migrants from outside the country.

62. More attention and resources should be devoted to urban planning, particularly in developing countries. Crime prevention and law enforcement experts should participate in that process so that security and safety considerations could be taken into account more readily and realistically.

63. Grave concern was expressed by many delegates about the situation of children in urban areas. Their basic needs were in many cases neglected; and, when they broke the law, they were often as much victims as perpetrators of crime. In particular, there was concern about their exploitation by adults for participation in criminal activities. Crime prevention efforts should therefore concentrate on protecting children from criminogenic situations. When they did break the law, rehabilitative rather than punitive measures should be employed to the maximum extent. In that respect, it was agreed that the Riyadh Guidelines should be used and applied widely, as they constituted a contemporary approach to juvenile crime.

64. Several participants raised the question of violence against women. The view was expressed that there seemed to be a risk of inadvertently overlooking other forms of violence by concentrating so strongly on that phenomenon. However, it was also recognized that there was merit in focusing on that type of violence as it required prevention modalities that were not necessarily applicable to others. A wide range of preventive strategies had been successfully developed in recent years, although much remained to be done.

65. It was emphasized by many representatives that gun control was crucial to the prevention of violent crime. Firearms, especially automatic weapons, were by their very nature high-risk weapons that should not be indiscriminately available for private use. The Ninth Congress should give priority attention to the issue and discuss measures to reduce the level of violence in society and, in particular, the incidence of lethal crime.

66. It was pointed out that drug trafficking had become such a global problem that even in transit States, such as those in Western Asia, which were located between producer and consumer areas, the presence of drugs was growing in some cities. Close interregional and regional cooperation in crime control was particularly crucial, as the substantial seizures of illicit drugs in the region demonstrated.

67. As changes in drug law enforcement in one State could affect the situation in an adjoining State, compatible strategies and action across borders were all the more important. If attempts to eradicate or reduce the cultivation of illicit crops were to be successful, some alternative cash crop had to be cultivated as a means of livelihood for the local population. A unified and transnational approach was required to reduce both illicit drug production and demand, and joint law enforcement operations should be encouraged and strengthened.

68. The importance of preventive approaches to environmental crime was emphasized by other participants. Environmental impact statements were required before permitting the development of new industries. In such statements, issues such as health, the balanced use of economic resources and ecological risk should be evaluated. Criminal regulation and administrative controls complemented each other in an effort to prevent ecological harm.

69. The social education of the Arab child constituted a strong defence against juvenile delinquency. Family cohesion and community support, consistent with Islamic precepts and norms, were of themselves preventive in character. In Islamic society, children were schooled at an early age to abide by the law. Delinquency was the antithesis of Islamic goals, objectives and ethical values.

70. Crime rates generally were lower in Arab countries than in other countries. Even after a disastrous period of internal strife, as in the case of Lebanon, crime rates had remained relatively low, a fact that was strongly indicative of the beneficial socializing effects of Islamic traditions. It was emphasized that poverty, family disintegration, unemployment, health problems and the misuse of leisure time were each associated with delinquent conduct, and those factors had to be addressed in a comprehensive way.

71. Several delegates expressed concern that some mass media were disseminating values inimical to Islamic culture. The view was also expressed that programmes and leisure activities that were culturally more relevant to the region should be encouraged.

72. It was observed that the activities of the Arab Security Studies and Training Centre exemplified the kind of scientific research, training, dissemination of information, technical assistance and professional development required in the region. The Centre, created as a response to the perceived security needs of the Arab States and the deficiencies in regional crime prevention and criminal justice services, was commended for its pivotal role in fostering regional cooperation, both bilaterally and multilaterally, in the context of Islamic law. In addition, the Centre bridged gaps and forged partnerships with other regions of the world, particularly in its capacity as a United Nations associate institute. Its contributions to the United Nations crime prevention and criminal justice programme and the quinquennial congresses included the secondment of staff; hosting of expert group meetings; provision of scientific research; and collaboration in the development of international instruments such as the Riyadh Guidelines. Another noteworthy function of the Centre was to facilitate global coordination of crime prevention and criminal justice activities by the United Nations, as mandated by its legislative bodies.

III. ADOPTION OF THE REPORT OF THE MEETING

73. At its final session, the Meeting adopted the report, after it had been introduced by the Rapporteur. It also unanimously adopted a resolution, the text of which is contained in the recommendations at the beginning of the present report.

74. After the adoption of the report, closing statements were made by the Chairman, a number of delegates, the representative of the Crime Prevention and Criminal Justice Branch and ESCWA, expressing gratitude to the host country for its generous hospitality and for the facilities it had provided. The participants also transmitted telegrams to His Majesty King Hussein and His Royal Highness Crown Prince Hassan, thanking both for hosting the Meeting and for all their support.

Annex I

LIST OF PARTICIPANTS

Regional members and associate members of the Economic and Social Commission for Western Asia

Bahrain

Salman Rashid Al-Zayani, Head of Planning and Organization, Ministry of Interior

Mohamad Abdul Rasoul Al-Khayyatt, Head of the Forensic Science Laboratory, Criminal Investigation Department, Ministry of Interior

Egypt

Khairi Hussein Fakhri, President, Appeals Court

Sana' Khalil, Vice-President, Appeals Court, Ministry of Justice

Wahid Galal, Counsellor, Embassy of Egypt

Iraq

Dhari Khalil Mahmood, General-Director of the Judicial Institute, Ministry of Justice

Jordan

Mohammad Anwar Basoul, Assistant to the Director-General of Public Security, Head of Delegation

Abdul Kareem Tarawneh, Chief of the Criminal Investigation Department, Directorate of Public Security

Abdul Hameed Irsheed, Director of Prisons, Directorate of Public Security

Ali Mohamad Al-Domoor, Chief of the Jordanian Jurists Association

Hussein Dibajeh, Ministry of Social Affairs

Hisham Hussein Al-Nusoor, Director of the Anti-Narcotic and Counterfeit Department, Directorate of Public Security

Wael Gharaibeh, Director of Research and Development, Ministry of Municipalities and Environment

Lebanon

Ismail Al-Hassan, Chief of the Department of Regional Criminal Investigation, Directorate of Internal Security

Oman

Hmoud Bentaleb Al-Blooshi, Head of Delegation

Ahmad Bin Said Al-Hasni, Ministry of Justice

Palestine

Abdulla Othman Ahmad Amer, Public Security

Qatar

Soraii Al-Kaabi, Head of Delegation, Director of Public Security

Ahmad Al-Hooti, Legal Affairs Department, Ministry of Interior

Rashed Al-Badr, Ministry of Interior

Saba'an Mobarak, Ministry of Interior

Ali Al-Khlefi, Assistant to the Public Prosecutor, Ministry of Interior

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Abdel Raheem Al-Ghamdi, Head of Delegation, Ministry of Interior

Sheikh Ibrahim Al-Nasser, Ministry of Justice

Mosa Moh'd Al-Omar, Ministry of Interior

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Moh'd Al-Mulhem, Director of the Training and Social Studies Center, Ministry of Labour and Social Affairs

Abdullah Al-Youssef, Ministry of Interior

Observers

Holy See

Reverend Monsignor Thomas Gullickson, Apostolic Delegation in Jerusalem, Head of Delegation

Reverend Monsignor Raouf Najjar, Apostolic Nunciature in Amman

Asma Khader, Lawyer

United Nations Secretariat

Crime Prevention and Criminal Justice Branch, United Nations Office at Vienna; Economic and Social Commission for Western Asia

United Nations bodies

United Nations Development Programme

Specialized agencies of the United Nations

United Nations Educational, Scientific and Cultural Organization; and World Health Organization

Intergovernmental organizations

Arab Security Studies and Training Centre; International Organization for Migration; and Pan Arab Bureau for Narcotics

Non-governmental organizations in consultative status with the Economic and Social Council

Muslim World League (category I); and Arab Lawyers' Union, International Committee of the Red Cross, and International Bar Association and Organization of Islamic Capitals and Cities (category II)

Other organizations

Alliance of NGOs on Crime Prevention and Criminal Justice (New York); and Nour Al-Hussein Foundation

Experts

Richard Harding, professor, Law School, University of Western Australia

Annex II

LIST OF DOCUMENTS

A. Basic documents

Discussion guide	A/CONF.169/PM.1
Provisional agenda, with annotations, and proposed schedule of work	A/CONF.169/PM.2
Discussion guide on demonstration and research workshops to be held at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders	A/CONF./169/PM.1/Add.1

B. Background documents

Report of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders	A/CONF.144/28/Rev.1
Report of the Commission on Crime Prevention and Criminal Justice on its second session	E/1993/32
General Assembly resolution 48/103, on crime prevention and criminal justice	
Economic and Social Council resolution 1993/26, on violence against women in all its forms	
Economic and Social Council resolution 1993/27, on proposed guidelines for the prevention of urban crime	
Economic and Social Council resolution 1993/32, on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders	